

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LOCAL UNION NO. 626, UNITED BROTHERHOOD	:	CIVIL ACTION
OF CARPENTERS AND JOINERS OF AMERICA	:	
PENSION FUND, et al.	:	
Plaintiffs	:	
	:	
v.	:	
	:	
MIDDLE STATES DRYWALL, INC., et al.	:	
	:	
Defendants	:	NO. 02-2761

**REQUEST TO ENTER DEFAULT PURSUANT TO F.R.C.P. 55(a)
J. R. COLDIRON & SONS, INC., ALN CONSTRUCTION,
JOHN D. COLDIRON, BRENDA PETERSON AND GREG PETERSON**

You will please enter a default on Defendants J. R. Coldiron & Sons, Inc., ALN Construction, John D. Coldiron, Brenda Peterson and Greg Peterson only for their failure to plead or otherwise defend the Amended Complaint filed on October 11, 2002, or the Complaint filed May 8, 2002, as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached declaration of Shelley R. Goldner, Esquire.

Respectfully submitted,

JENNINGS SIGMOND, P.C.

By: s/Shelley R. Goldner
SHELLEY R. GOLDNER, ESQUIRE (ID. NO.32896)
KENT G. CPREK (ID. NO.40806)
Jennings Sigmond, P.C.
The Penn Mutual Towers
510 Walnut Street, 16th Floor
Philadelphia, PA 19106
(215) 351-0615/0644
Attorneys for Plaintiffs

Date: December 6, 2002

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Plaintiffs :
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MIDDLE STATES DRYWALL, INC., et al. :
 :
Defendants : NO. 02-2761

DECLARATION OF SHELLEY R. GOLDNER FOR ENTRY OF DEFAULT

Shelley R. Goldner, Esquire, having been first duly sworn according to law, hereby deposes and states as follows:

1. I am the attorney for the Plaintiffs in the above-entitled action.
2. The Complaint and Summons in this action were served on the Defendants J. R. Coldiron & Sons, Inc., ALN Construction, John D. Coldiron, Brenda Peterson and Greg Peterson (“Defendants”), by Gerald Taylor, Process Server, on June 3, 2002, as appears from the Affidavit of Service of the Complaint which has been duly docketed with the Court. The Amended Complaint and Summons were served on Defendants ALN Construction, Brenda Peterson and Greg Peterson on October 25, 2002 by first class mail addressed to their attorney, Walter Flamm, Esquire, who agreed to accept service on behalf of his clients. The Amended Complaint and Summons were served on Defendants J. R. Coldiron & Sons, Inc and John D. Coldiron by certified and regular mail on October 25, 2002. The time in which the Defendants may answer or otherwise move as to the Amended Complaint has expired.

3. The Defendants have not answered or otherwise moved and the time for Defendants to answer or otherwise move has not been extended.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Executed on : December 6, 2002

s/Shelley R. Goldner

SHELLEY R. GOLDNER, ESQUIRE

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 :
Defendants : NO. 02-2761

DECLARATION OF NON-MILITARY SERVICE

SHELLEY R. GOLDNER, ESQUIRE, having been duly sworn according to law hereby deposes and states that she is legal counsel for Plaintiffs Carpenters Pension and Annuity Fund of Philadelphia and Vicinity, et al., and that none of the Defendants is in the military or naval service of the United States or its allies, nor otherwise within the provisions of the Soldiers and Sailors Civil Relief Act of 1940 or its amendments.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Executed on : December 6, 2002

s/Shelley R. Goldner
SHELLEY R. GOLDNER, ESQUIRE

CERTIFICATE OF SERVICE

I, Shelley R. Goldner, Esquire, statue under penalty of perjury that I caused a copy of the foregoing Request to Clerk to Enter Default Pursuant to F.R.C.P. 55(a) J. R. Coldiron & Sons, Inc., ALN Construction, John D. Coldiron, Brenda Peterson and Greg Peterson only to be served via first class mail, postage prepaid on the date and to the addresses below:

John D. Coldiron
845 Waterway Road
Oxford, PA 19363

ALN Construction
25 Good Hope Road
Landenberg, PA 19350
and
P.O. Box 7717
Wilmington, DE 19803

Michael T. Imms Esquire
Crawford, Wilson & Ryan, LLC
220 West Gay Street
West Chester, PA 19380

Brenda Peterson
25 Good Hope Road
Landenberg, PA 19350
and
P.O. Box 7717
Wilmington, DE 19803

Walter Flamm, Esquire
Flamm, Boroff & Bacine, P.C.
Union Meeting Corporate Ctr.
925 Harvest Drive, Suite 200
Blue Bell, PA 19422

Greg Peterson
25 Good Hope Road
Landenberg, PA 19350
and
P.O. Box 7717
Wilmington, DE 19803

Date: December 6, 2002

s/Shelley R. Goldner
SHELLEY R. GOLDNER, ESQUIRE

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